UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LEMOND CYCLING, INC.,

Plaintiff,

v.

TREK BICYCLE CORPORATION,

Defendant and Third-Party Plaintiff,

v.

GREG LEMOND,

Third-Party Defendant.

Case No. 08-CV-1010 (RHK-JSM)

TREK'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES, TO DEEM FACTS ADMITTED, AND FOR EXPENSES

Trek Bicycle Corporation ("Trek"), by its attorneys Gass Weber Mullins LLC and Halleland Lewis Nilan & Johnson, P.A., hereby moves for an order pursuant to Federal Rule of Civil Procedure 37 compelling Plaintiff LeMond Cycling, Inc. and Third-Party Defendant Greg LeMond to answer interrogatories and pursuant to Rule 36 to deem facts admitted. Trek also moves for its expenses pursuant to Rule 37(a)(5). Pursuant to Federal Rule of Civil Procedure 37(a)(1), Trek's counsel has in good faith conferred with LeMond's counsel in an effort to obtain the responses and answers to its discovery requests without court action, but has been unsuccessful.

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HALLELAND LEWIS NILAN & JOHNSON,P.A.

Dated: July 14, 2009

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